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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

RESER'S FINE FOODS, INC., a domestic  
business corporation,

Plaintiff,

v.

BOB EVANS FARMS, INC., a Delaware  
corporation; BOB EVANS FARMS LLC, an  
Ohio limited liability corporation; BEF  
FOODS, INC., an Ohio corporation,

Defendants.

Case No.: 3:13-cv-00098-AA

STIPULATED MOTION TO DISMISS  
DEFENDANTS' FIRST, SECOND, AND  
THIRD COUNTERCLAIMS FOR RELIEF

Pursuant to Federal Rule of Civil Procedure 41(a)(2), defendants move to dismiss with prejudice their First Claim for Relief (Intentional Interference with Contract and/or Economic Relations); Second Claim for Relief (Lanham Act False Advertising); and Third Claim for Relief

(Unfair Competition), with each party bearing its own costs and attorney fees as to the foregoing dismissed counterclaims. Plaintiff stipulates to the terms of this dismissal.

Defendants' Fourth Claim for Relief (Breach of Contract, Counts 1-3), First Supplemental Claim for Relief (Intentional Interference with Contract and/or Economic Relations); Second Supplemental Claim for Relief (Fraud); and Third Supplemental Claim for Relief (Breach of Contract/Promissory Estoppel, Counts 1-5), are not subject to this motion and remain pending.

DATED: November 11, 2014.

LANE POWELL PC

STOEL RIVES LLP

s/ Susan K. Eggum

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**ORDER**

IT IS SO ORDERED.

DATED this 3 day of December, 2014.



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THE HONORABLE ANN AIKEN  
United States District Judge